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REMARKS

Claims 1-20 were pending. By this Amendment, claims 12 and 20 have been canceled, without prejudice or disclaimer, claims 1 and 11 have been amended to clarify the claimed subject matter, new claims 21 and 22 have been added, and claims 2-10 have been amended to depend from claim 21. Claims 1-11, 13-19, 21 and 22 would be pending upon entry of this Amendment, with claims 1, 11 and 21 being in independent form.

Claims 1-20 were rejected under 35 U.S.C. §102(a) as purportedly being anticipated by Baba et al. (WO 2004/024003 A1).

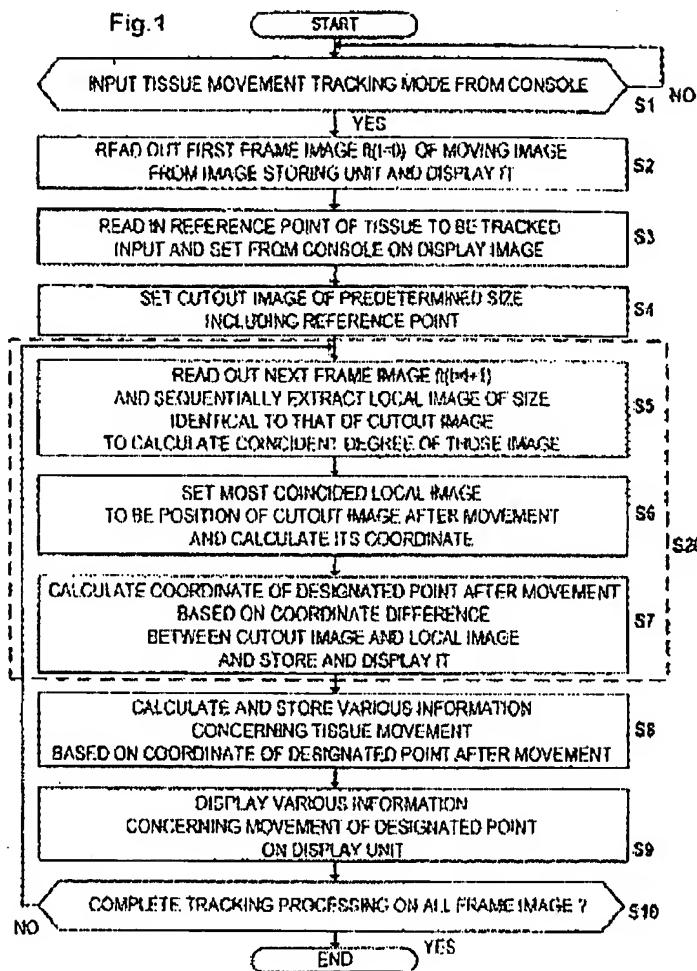
As an initial matter, it is noted that the publication date of Baba is March 25, 2004 which is after the April 4, 2003 and October 3, 2003 filing dates of priority Japanese applications nos. 2003-101284 and 2003-345364, respectively, from which this U.S. application claims priority.

Further, applicant respectfully submits that the present application is allowable over the cited art, for at least the reason that the cited art does not disclose or suggest the aspects of the present application of a functional image display apparatus that is configured to calculate *biological function data regarding temporal changes in values of the same pixels or section* of the tomogram, form at least one functional image based on the biological function data, and form a composite image by composing the tomogram and at least one of the functional image, an operated image obtained by performing an inter-image operation on a plurality of functional images, and a blended image obtained by composing the functional images together.

Baba, as understood by applicant, proposes an approach, as shown in Fig. 1 (reproduced below) of Baba, for tracking movement of a tissue of interest (designated by marking of a specific portion) in a moving image including a plurality of frames of a tomographic image.

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In the approach proposed in Baba, a one-frame image of a moving image formed by producing tomographic images of an object to be examined is displayed (S2), a mark is superposed on a designated portion of a tissue and the movement of such portion is tracked in the displayed one-frame image (S3), a cutout image of a size including the designated portion is set in the one-frame image (S4), local images are searched in other frame images of the moving image and a local image of the identical size which is most coincident with the cutout image is extracted (S5, S6), and a coordinate of the designated portion after movement is calculated based

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on a coordinate difference between the most coincident local image and the cutout image (S7), thereby the movement of tissue can be quantitatively measured (S8). Various information can be determined based on the quantitatively measured movement information and graphically portrayed (S9), such as shown in Figs. 5b and 5c of Baba.

Baba, [0043]-[0047], proposes extracting an outline of a dynamic (or moving) atrium wall or ventricle wall of a heart from each frame of a moving image, and then superposing the outline of the moving wall on the displayed image. That is, the extracted features are displacements or changes of position of an organ in the image.

However, the approach proposed in Baba does *NOT* involve calculating *biological function data regarding temporal changes in values of the same pixels or section* of the tomogram, and forming functional image based on the biological function data regarding temporal changes in values of the same pixels or section.

In the above-mentioned aspects of the present application, the extracted features for producing the functional image are based *NOT* on the displacements or changes of positions of an organ, but rather are based on temporal changes in the values of the same pixel(s) or section.

Applicant submits that the cited art, even when considered along with common sense and common knowledge to one skilled in the art, does *NOT* render unpatentable the above-mentioned aspects of the present application.

Accordingly, applicant respectfully submits that independent claims 1, 11 and 21, and the claims depending therefrom, are allowable over the cited art.

In view of the remarks hereinabove, applicant submits that the application is now allowable, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper

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should be considered to be such a petition. The Patent Office is hereby authorized to charge any required fees in connection with this amendment, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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